

REMARKS

The Office Action dated November 28, 2005, has been received and reviewed by the Applicants. Claims 1-20 are in the application. Claims 1-9 and 11-20 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Wierszewski (US 5,826,157) in view of Malachowski (US 5,337,135). In the rejection the examiner stated that Wierszewski "does not clearly teach" a controller controlling the speed of the insert sheets from the inserter. This paper has amended independent claims 1, 8 and 16 to more particularly point out that which the Applicants regard as the invention and has cancelled claims 4, 10 and 17 that were combined into claims 1 and 16 so that claims 1-3, 5-9, 11-16 and 18-20 remain pending in the application.

The Applicants agree that Wierszewski does not disclose a controller with a "speed adjust unit [that] determines the actual arrival time of the at least one printed sheet at the inserter speed adjust unit" such that "the inserter speed adjust unit compares the synch pulse signal to the actual arrival time and uses the comparison to determine an adjust time when the inserter speed adjust unit changes the speed of the at least one sheet from the first speed to the third speed" as claimed in the amended claim 1.

The Examiner believes that Malachowski teaches a controller which controls "the sheet feeding rate or speed of the drives for feeding the sheets via a variable speed drive and the controller as shown in Figs 1 and 2 of Malachowski." The Examiner believes that Wierszewski teaches the image-forming production system including the use of insert sheets and that the present invention would be obvious when this is viewed in light of the variable speed controller of Malachowski because it would make it obvious to "improve the efficiency of inserting the insert sheets with the printed sheets at a desired speed by replacing the controller 100 of Wierszewski" with the variable speed controller of Malachowski.

The Applicants strongly disagree with the Examiner's above statements because the Applicants have not simply substituted one controller for another controller but have solved a long-standing problem as evidenced by the

description on page 13, lines 3-10. The described embodiment is well summarized on page 23, line 26 through page 24, line 16 in conjunction with Figure 6 (timing chart). This description makes clear that the synch pulse is used so that the timing of the marking engine does not need to change and so the paper does not have to sit until other papers arrive. The Applicants' invention made it possible to effectively correct errors or differences in the speeds of both the marking engine and the inserter sheet feeder automatically before the error effects arrival times, something that was not possible before, as evidenced by the less desirable solutions that Malachowski and Wierszewski describe.

Malachowski does not add anything to Wierszewski that would make it obvious to replace the controller of Wierszewski with a controller with the automatic "speed adjust unit" described and claimed by the Applicants.

Malachowski describes a duplex printer that uses an "interleaving mode" shown as represented in Table 2. Malachowski uses speed to create gaps that can be used to make room for the interleaved sheets. If this teaching was viewed with Wierszewski then the interleaved sheets would be held "a time COF" and then released with clutch 183 (Col. 12, lines 37-40) when gaps were made by the timing adjustments as shown in Table 2. The sheets would still be fed at the same time but would be held at a dwell point before they were released. This is not the solution that is described or claimed in the present invention. The image-forming production system of the present invention does not describe how to hold the sheets at all but rather is designed for continuous operation.

Malachowski in conjunction with Wierszewski does not make the Applicants' invention for solving a long-standing problem obvious. In fact it is unclear to the Applicants how these two types of printing operations could not be combined to make the present claimed invention obvious. Merely substituting the timing solution of Malachowski, as stated in the rejection, does not provide the missing limitation found in Wierszewski as discussed above. In the absence of such, Applicants respectfully submit that the rejection on this basis is in error and request that it be withdrawn.

The Applicants are not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. §1.99.

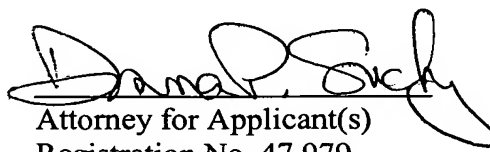
For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully requested.

Dependent claims 2-3, 5-7, 9, 11-15, and 18-20 stand rejected under 35 U.S.C. §.103(a) as being unpatentable over Malachowski in view of Wierszewski as applied to claims 1, 8 and 16. The Applicants repeat the arguments presented with respect to claims 1, 8 and 16 and respectfully request that the rejection of claims 2-3, 5-7, 9, 11-15, and 18-20 on this basis be withdrawn.

Finally, with respect to the combination of Malachowski and Wierszewski in all rejections, Applicants respectfully submit that neither provides sufficient objective motivation, for one of ordinary skill in the relevant art, to modify Wierszewski in the manner attempted.

In conclusion, Applicants respectfully submit that claims 1-3, 5-9, 11-16 and 18-20 are allowable in their present form, without a restriction, and hereby request such allowance.

Respectfully submitted,


Attorney for Applicant(s)
Registration No. 47,979

Donna P. Suchy/tt
Rochester, NY 14650
Telephone: 585-722-9844
Facsimile: 585-477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.